

## REMARKS

The specification has been reviewed, and clerical error and formality of the application have been amended. Also, the title of the invention has been amended.

In paragraph 4 of the Action, claims 1-4 were rejected under 35 U.S.C. 112, second paragraph. In paragraph 6 of the Action, claims 1, 2 and 4 were rejected under 35 U.S.C. 102(b) as being anticipated by Harada.

In view of the rejections, claims 1, 2 and 4 have been amended, and new claim 5 has been filed.

As clearly recited in amended claim 1, a sheet post-processing apparatus of the invention comprises a head portion for driving a staple into a sheet bundle, an anvil portion opposingly arranged to the head portion for receiving and bending the staple driven from the head portion, and feeding means for feeding the sheet bundle in a sheet bundle feed path between the head portion and the anvil portion. Also, in the invention, a fixed guide member and an auxiliary guide member are formed.

The fixed guide member extends laterally and is immovably positioned between the head portion and the anvil portion for guiding the sheet bundle. Also, the auxiliary guide member is disposed on an upstream side of the fixed guide member in a sheet bundle feed direction of the sheet bundle fed by the feeding means.

In the invention, the auxiliary guide member is formed separately from the fixed guide member, and projects into the sheet bundle feed path over the fixed guide member to lead the sheet bundle to the fixed guide member without touching a leading edge of the sheet bundle fed by the feeding means on an upstream edge of the fixed guide member in the sheet bundle feed direction.

In the invention, the sheet bundle can be fed into the sheet bundle feed path without trouble though the fixed guide is formed between the head portion and the anvil portion.

In the Examiner's opinion as stated in paragraph 6 of the Action, an upper guide plate 45 attached to a clincher member 41 of a stapler 40 has a fixed guide attached to the clincher member 41 and an auxiliary guide extending from the fixed guide. The upper guide plate 45 fixed to the clincher member 41 moves together with the clincher member 41. Also, the auxiliary guide referred to by the Examiner projects upwardly.

In the invention, the fixed guide member extends laterally and is immovably positioned between the head portion and the anvil portion for guiding the sheet bundle. In Harada, the upper guide plate is fixed to the clincher member 41, but is moved together with the clincher member 41. Thus, the upper guide plate is not immovably positioned, as in the invention.


In the invention, also, the auxiliary guide member is formed separately from the fixed guide member, and projects into the sheet bundle feed path over the fixed guide member. In Harada, the auxiliary guide referred to by the Examiner is integrally formed with the upper guide plate 45, and extends from the upper guide plate 45 to project upwardly in a direction away from the feed path. The auxiliary guide member of the invention is different in structure, i.e. formed separately from the fixed guide member and extending in the different direction.

Actually, the fixed guide member as defined in claim 1 of the invention is not disclosed or suggested in Harada. The features of the invention are patentable over Harada.

Reconsideration and allowance are earnestly solicited.

Respectfully Submitted,

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